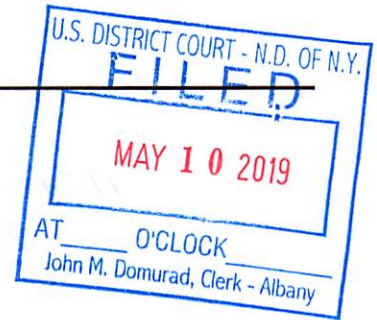


AO 106 (Rev. 04/10) Application for a Search Warrant (Page 1)

UNITED STATES DISTRICT COURT
for the
Northern District of New York



In the Matter of the Search of)
 (Briefly describe the property to be searched)
 or identify the person by name and address)) Case No. 1: 19-MJ- 312(CFH)
 718 Central Avenue, Apartment 2)
 Albany, New York 12206)

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property:
(identify the person or describe the property to be searched and its given location):

See Attachment A

located in the Northern District of New York, there is now concealed
(identify the person or describe the property to be seized):

Fraudulent permanent resident card bearing AMBROCIO VICENTE's name located inside the premises
 The basis for the search under Fed. R. Crim. P. 41(c) is *(check one or more)*:

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 U.S.C. § 1546(a)	Fraud and misuse of visas, permits and other documents.

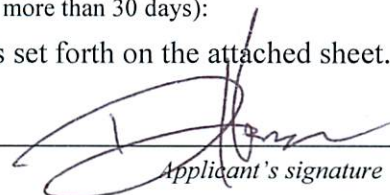
The application is based on these facts:

See Attached Affidavit

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days):

is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Attested to by the Applicant in Accordance with
 the Requirements of Rule 4.1 of the Federal Rules
 of Criminal Procedure.

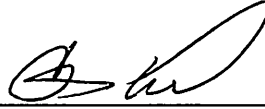

 Applicant's signature
 Deportation Officer, Devon P. Haskins (ICE)
 Printed name and title

AO 106 (Rev. 04/10) Application for a Search Warrant (Page 2)

Sworn to before me and signed in my presence.

Date:

May 10, 2019



Judge's signature

City and State: Albany, NY

Hon. Daniel J. Stewart, U.S. Magistrate Judge

Printed name and title

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

In the Matter of the Search of
718 Central Avenue, Apartment 2
Albany, New York 12206

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)
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)
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Case No.

1 :19-MJ- 312(CFH)

AFFIDAVIT IN SUPPORT OF APPLICATION FOR A SEARCH WARRANTS

A. Background

1. I, Devon P. Haskins, being duly sworn, depose and states as follows:

I am a Deportation Officer with Immigration and Customs Enforcement (ICE) and have been since November 2015. I am assigned to the Albany, New York Office. During my career I have investigated a variety of federal violations pertaining to visa fraud, identity theft, and various other immigration violations. In my current assignment, I primarily investigate violations of immigration laws. I have experience regarding these federal violations through my daily investigative responsibilities and extensive training.

B. Purpose of Affidavit

2. This affidavit is submitted in support of a search warrant of the residence of Samuel Sotero AMBROCIO VICENTE, who is suspected of the offense of fraud and misuse of Visas and other documents for alien benefit under immigration law in violation of 18 U.S.C. § 1546(a).

It is believed that the fraudulent permanent resident card bearing AMBROCIO VICENTE's name is located inside the premises of 718 Central Avenue Apartment 2, Albany, New York, 12206. It is requested a search warrant be authorized to search for AMBROCIO VICENTE's passport, birth certificate, counterfeit permanent resident alien card, and other identity documents inside the residence related to AMBROCIO VICENTE. It is requested that the warrant encompass any and all identification documents, including but not limited to immigration documents or any other official government issued documents, as it relates to the identity of AMBROCIO VICENTE. The areas to be searched for AMBROCIO VICENTE's fraudulent identity documents include the entire residence located at 718 Central Avenue Apartment 2, Albany, New York.

C. Description of Property

3. The residence is described as 718 Central Avenue Apartment 2, Albany, New York, 12206, is two story building, gray in color. The first floor of 718 Central Avenue, Albany, New York, belongs to Nino's Deli and Bakery, with entrances to the apartments above located on the left side of the building. See Attachment A.

D. Basis of Information and Probable Cause for the Search Warrant

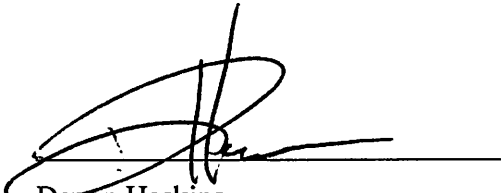
4. The statements and opinions contained in this affidavit are based on my personal participation in this investigation; information provided by confidential sources; information provided by other law enforcement officers involved in this investigation; my experience and training; and the experience and background of the other officers involved in this investigation with whom I have discussed this case. Since this affidavit is being submitted for the limited purpose of obtaining a search warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish the necessary probable cause for the requested warrant.
5. AMBROCIO VICENTE is an illegal alien who has no legal status in the United States. AMBROCIO VICENTE appears to have illegally entered the United

States at an unknown location and on an unknown date. As such, AMBROCIO VICENTE continues to violate United States immigration laws, remaining in this country without authorization or permission from the United States Department of Homeland Security.

6. On May 10, 2019, Samuel Sotero AMBROCIO VICENTE was arrested by New York State Police in the Town of Florida, New York. At the time of the arrest, New York State Police found AMBROCIO VICENTE to be in possession of a fraudulent Social Security Card, bearing the Samuel AMBROCIO VICENTE XXX-XX-035.
7. On May 10, 2019, ICE ERO Officers interviewed AMBROCIO VICENTE at the Montgomery County Jail to determine alienage and identity. AMBROCIO VICENTE stated to ICE ERO officers that he had entered the United States unlawfully, 6 years ago in California. ICE ERO Officers asked AMBROCIO VICENTE if he had any other forms of Identification, he stated that he only had a Consular Identification Card from Guatemala on him and that his passport was at home at 718 Central Avenue, Apartment 2, Albany, New York, 12206 .
8. On May 10, 2019, U.S. Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO) received a photocopy of documents belonging to Samuel Sotero AMBROCIO VICENTE from his employer "CertaPro Painters of Albany." The office manager from CertaPro Painters of Albany provided ICE ERO with the photocopies of the documents which were presented to the business for employment purposes by Samuel Sotero Ambrocio Vicente. The documents included the personal information of AMBROCIO VICENTE, to include a fraudulent Social Security Card and fraudulent United States Permanent Resident Card. The Social Security number on the Social Security card is XXX-XX-7035 and included AMBROCIO VICENTE's name and signature. Investigatory record checks reveal social security number XXX-XX-7035 is not issued to AMBROCIO VICENTE. The Permanent Resident Card bears the name AMBROCIO VICENTE, his photograph, and alien registration


number XXX-XXX-204. Immigration record checks reveal that alien registration number XXX-XXX-204 is not issued to AMBROCIO VICENTE.

9. Deportation Officers have reason to therefore believe that Samuel Sotero AMBROCIO VICENTE's passport and fraudulent permanent resident card, used by AMBROCIO VICENTE to obtain employment, is located within his residence at 718 Central Avenue, Apartment 2, Albany, New York, 12206, and seek authorization to search said residence for the presence of said document. This address was provided to the New York State Police at the time of his most recent arrest on May 10, 2019.



Devon Haskins
Deportation Officer
Immigration and Customs Enforcement

SWORN TO BEFORE ME THIS 10th
DAY OF MAY, 2019



Hon. ~~Daniel J. Stewart~~ CHRISTIAN HUMPHREY
U.S. Magistrate Judge
James T. Foley U.S. Courthouse
445 Broadway, Room 314
Albany, New York 12207

ATTACHMENT A

PROPERTY TO BE SEARCHED

This warrant applies to the premises at 718 Central Avenue, Apartment 2. Albany, New York 12206

